



Attorney Docket No. 1369-00

#3

- Original Application
- PCT National Application
- U.S. Designated Office
- Continuation or Divisional Application
- Continuation-in-Part Application

**COMBINED DECLARATION,  
POWER OF ATTORNEY AND PETITION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **NANOPARTICLES COMPRISING AT LEAST ONE POLYMER AND AT LEAST ONE COMPOUND ABLE TO COMPLEX ONE OR MORE ACTIVE INGREDIENTS**

- which is described in the specification and claims

attached hereto.

filed on August 25, 2000

Application Serial No. 09/648,304

and was amended on \_\_\_\_\_

*(if applicable)*

- which is described in International Application No. \_\_\_\_\_

filed \_\_\_\_\_ and as amended on \_\_\_\_\_

(if any),

which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe that this invention was ever known or used in the United States before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application or said international application, or in public use or on sale in the United States of America more than one year prior to this application or said international application, or that the invention has been patented or made the subject of an inventor's certificate issued before the date of this application or said international application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application or said international application, or that any application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application or said international application by me or my legal representatives or assigns except as identified below.

Attorney Docket No.: 1369-00

Applicants or Patentee: Airton Monza Da Silveira, Gilles Ponchel, Dominique Duchene, Patrick Couvreur, and Francis Puisieux

Serial No. or Patent No.: 09/648,304

Filed or Issued: August 25, 2000

For: NANOPARTICLES COMPRISING AT LEAST ONE POLYMER AND AT LEAST ONE COMPOUND ABLE TO COMPLEX ONE OR MORE ACTIVE INGREDIENTS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. §1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Bioalliance Pharm. S.A.

ADDRESS OF CONCERN: 67, rue Vergniaud, F-75013 Paris, France

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §121.3-18, and reproduced in 37 C.F.R. §1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled NANOPARTICLES COMPRISING AT LEAST ONE POLYMER AND AT LEAST ONE COMPOUND ABLE TO COMPLEX ONE OR MORE ACTIVE INGREDIENTS

the specification filed herewith  
 Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.  
 Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. §1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. §1.9(d) or a nonprofit organization under 37 C.F.R. §1.9(e). \*Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. §1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING \_\_\_\_\_

TITLE OF PERSON OTHER THAN OWNER \_\_\_\_\_

ADDRESS OF PERSON SIGNING \_\_\_\_\_

SIGNATURE \_\_\_\_\_

*COSTANTINI Dominique*

*CHAIRMAN AND CEO*

*67 rue VERGNIAUD 75013 PARIS-FRANCE*

DATE *6/10/00*



**COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION**  
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I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International Application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or of any PCT International Application having a filing date before that of the application on which priority is claimed:

Number	Country	Date of Filing (day,month,year)	Priority Claimed
98/02429	France	27.02.98	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no

I hereby claim the benefit under Title 35, United States Code, §119(e) or §120 (as applicable) of any United States application(s) or §365(c) of any PCT International Application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International Application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112:

PCT/FR98/00418  
*(Application Serial No.)*

24.02.99  
(Filing Date)

Pending  
(Status) (patented, pending, abandoned)

*(Application Serial No.)*

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*(Filing Date)*

*(Status) (patented, pending, abandoned)*

POWER OF ATTORNEY: As a named inventor, I hereby appoint the registered attorneys listed under Customer No. 022469 and the following registered attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

T. Daniel Christenbury	Reg. No. 31,750
Michael A. Patané	Reg. No. 42,982
James A. Drobile	Reg. No. 19,690
Austin R. Miller	Reg. No. 16,602
Gerard J. Weiser	Reg. No. 19,763
Joan T. Kluger	Reg. No. 38,940

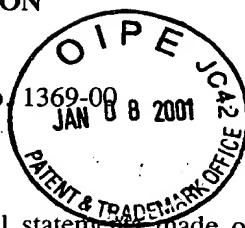
Guy T. Donatiello	Reg. No. 33,167
Paul A. Taufer	Reg. No. 35,703
Robert A. McKinley	Reg. No. 43,793
Sharon Fenick	Reg. No. 45,269
Stewart M. Wiener	Reg. No. 46,201

<p>SEND CORRESPONDENCE TO: IP Department Schnader Harrison Segal &amp; Lewis 36th Floor, 1600 Market Street Philadelphia, PA 19103</p>	<p>DIRECT TELEPHONE CALLS TO ATTORNEY OF RECORD AT: (215) 563-1810</p>
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**COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION**  
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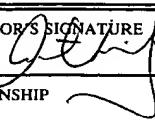
Attorney Docket No. 1369-00

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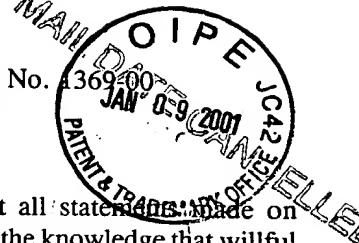
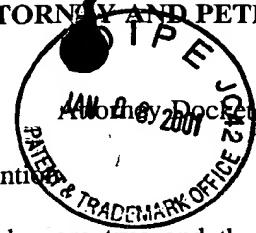


I hereby petition for grant of a United States Letters Patent on this invention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

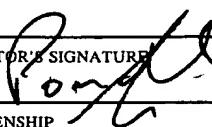
1. FULL NAME OF SOLE OR FIRST INVENTOR Airton Monza da Silveira		INVENTOR'S SIGNATURE 	DATE December 10, 2000
RESIDENCE Porto Alegre, Brésil		CITIZENSHIP Brazil	
POST OFFICE ADDRESS Avenue Sergipe, 247, CEP-91720-110 Porto Alegre, RS Brazil			
2. FULL NAME OF JOINT INVENTOR, IF ANY Gilles Ponchel		INVENTOR'S SIGNATURE	DATE
RESIDENCE Paris, France		CITIZENSHIP France	
POST OFFICE ADDRESS 46, rue de Fécamp, F-75012 Paris, France			
3. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY Dominique Duchene		INVENTOR'S SIGNATURE	DATE
RESIDENCE Paris, France		CITIZENSHIP France	
POST OFFICE ADDRESS 8 bis, rue Laurent Pichat, F-75116 Paris, France			
4. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY Patrick Couvreur		INVENTOR'S SIGNATURE	DATE
RESIDENCE Villebon sur Yvette, France		CITIZENSHIP France	
POST OFFICE ADDRESS 1 bis, rue de lac Léman, F-91140 Villebon sur Yvette, France			
5. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY Francis Puisieux		INVENTOR'S SIGNATURE	DATE
RESIDENCE Maisons Alfort, France		CITIZENSHIP France	
POST OFFICE ADDRESS 66, rue de Strasbourg, F-94700 Maisons Alfort, France			
6. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
7. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			

**COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION**  
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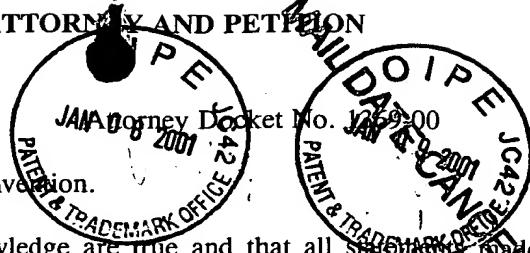


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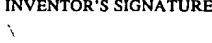
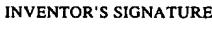
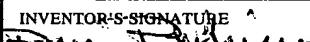
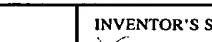
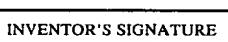
1. FULL NAME OF SOLE OR FIRST INVENTOR Airton Monza da Silveira		INVENTOR'S SIGNATURE	DATE
RESIDENCE Porto Alegre, Brésil		CITIZENSHIP Brazil	
POST OFFICE ADDRESS Avenue Sergipe, 247, CEP-91720-110 Porto Alegre, RS Brazil			
2. FULL NAME OF JOINT INVENTOR, IF ANY Gilles Ponchel		INVENTOR'S SIGNATURE 	DATE 13/10/00
RESIDENCE Paris, France		CITIZENSHIP France	
POST OFFICE ADDRESS 46, rue de Fécamp, F-75012 Paris, France			
3. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY Dominique Duchene		INVENTOR'S SIGNATURE	DATE
RESIDENCE Paris, France		CITIZENSHIP France	
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POST OFFICE ADDRESS			
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POST OFFICE ADDRESS			

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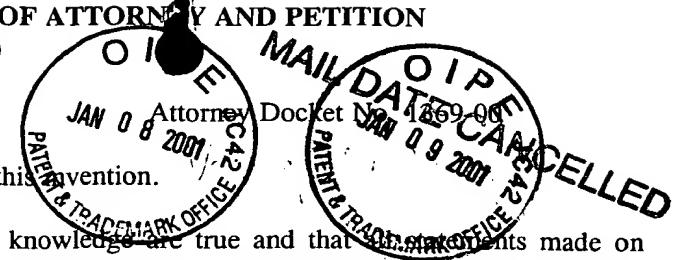
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1. FULL NAME OF SOLE OR FIRST INVENTOR  Airton Monza da Silveira	INVENTOR'S SIGNATURE 	DATE
RESIDENCE  Porto Alegre, Brésil	CITIZENSHIP Brazil	
POST OFFICE ADDRESS  Avenue Sergipe, 247, CEP-91720-110 Porto Alegre, RS Brazil		
2. FULL NAME OF JOINT INVENTOR, IF ANY  Gilles Ponchel	INVENTOR'S SIGNATURE 	DATE
RESIDENCE  Paris, France	CITIZENSHIP France	
POST OFFICE ADDRESS  46, rue de Fécamp, F-75012 Paris, France		
3. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY  Dominique Duchene	INVENTOR'S SIGNATURE 	DATE 13 Oct. 2000
RESIDENCE 8 bis rue Laurent Pichat 75116 Paris, France	CITIZENSHIP France	
POST OFFICE ADDRESS  8 bis, rue Laurent Pichat, F-75116 Paris, France		
4. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY  Patrick Couvreur	INVENTOR'S SIGNATURE 	DATE
RESIDENCE  Villebon sur Yvette, France	CITIZENSHIP France	
POST OFFICE ADDRESS  1 bis, rue de lac Léman, F-91140 Villebon sur Yvette, France		
5. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY  Francis Puisieux	INVENTOR'S SIGNATURE 	DATE
RESIDENCE  Maisons Alfort, France	CITIZENSHIP France	
POST OFFICE ADDRESS  66, rue de Strasbourg, F-94700 Maisons Alfort, France		
6. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY	INVENTOR'S SIGNATURE 	DATE
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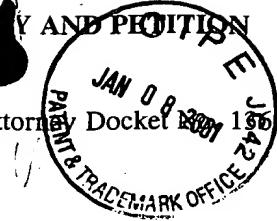
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POST OFFICE ADDRESS 8 bis, rue Laurent Pichat, F-75116 Paris, France		
4. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY Patrick Couvreur	INVENTOR'S SIGNATURE	DATE 12 Octobre 2000
RESIDENCE Villebon sur Yvette, France	CITIZENSHIP France	
POST OFFICE ADDRESS 1 bis, rue de lac Léman, F-91140 Villebon sur Yvette, France		
5. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY Francis Puisieux	INVENTOR'S SIGNATURE	DATE
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RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		

**COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION**  
 (Page 3)

Attorney Docket No. 1569-00



I hereby petition for grant of a United States Letters Patent on this invention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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RESIDENCE Villebon sur Yvette, France		CITIZENSHIP France	
POST OFFICE ADDRESS 1 bis, rue de lac Léman, F-91140 Villebon sur Yvette, France			
5. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY Francis Puisieux		INVENTOR'S SIGNATURE <i>Patrick Couvreur</i>	DATE 16 October 2000
RESIDENCE Maisons Alfort, France		CITIZENSHIP France	
POST OFFICE ADDRESS 66, rue de Strasbourg, F-94700 Maisons Alfort, France			
6. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE	DATE
RESIDENCE		CITIZENSHIP	
POST OFFICE ADDRESS			
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RESIDENCE		CITIZENSHIP	
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